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| 09/803,870 | 03/12/2001 | Philippe Morin | 9432-000134 | 9173 |
| 27572 | 7590 | 04/30/2007 | EXAMINER | |
| HARNES, DICKEY & PIERCE, P.L.C. P.O. BOX 828 BLOOMFIELD HILLS, MI 48303 | | | VO, HUYEN X | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|--|--|
| Office Action Summary | Application No. 09/803,870 | Applicant(s) MORIN, PHILIPPE | |
| | Examiner Huyen X. Vo | Art Unit 2626 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 15 February 2007.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-22 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 02 March 2001 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 2/15/2007 have been fully considered but they are not persuasive. In response to applicant's argument regarding prompting the user to provide the voice binding when no voice binding exists for the location, Rigsby et al. teach the step of sending an error message when no match is found and then enabling the user to provide a voice command to train that particular menu item (*referring to figure 2, providing a voice command to train the system to recognize a particular menu item is the main objective of the reference and the claimed invention*). The system of Rigsby et al. also enables the user to re-train the particular menu item by re-entering a new voice command (*col. 10, lines 20-26*). Applicant is advised to amend the claims to specifically point out that the menu is a hierarchical or multi-level menu. And the user must navigate through a series of menu levels and sub-menu levels to reach a particular menu item of interest before voice training could be conducted.

2. Objections to claims 1-2 and 15 have been withdrawn.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-13, 15-18, and 21-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Rigsby et al. (US 6556971) in view of Shostak (US 6892083).

5. Regarding claims 1-2, Rigsby et al. disclose a method of navigating a menu structure within an electronic product, comprising the steps of:

identifying a user-selected navigation path sequence through said menu structure to a first location within said menu in response to user navigation to said first location via sequential manipulation of a manual user interface of said electronic product (*step 200 in figure 2 and/or col. 6, lines 43-67, icon 350 includes a submenu of icons shown in figure 5; each of these submenu icon can also be associated with unique voice command; Also in figure 3, when a computer system is turned on, these icons may be first manually navigated to*);

obtaining a first utterance of speech comprising at least one word chosen by a user of said electronic product (*step 210 in figure 2*);

storing said first utterance of speech chosen by said user as a model in a user-built lexicon (*steps 220-230 in figure 2*);

associating said first utterance with said path sequence by which said first location would be reached and generating therefrom a stored first location (*steps 220-230 in figure 2*);

obtaining a second utterance of speech (*col. 7, line 55 to col. 8, line 5 and col. 8, lines 55-67*);

matching said second utterance with said model of said first utterance to identify said stored first location within said menu (*col. 7, line 55 to col. 8, line 5 and col. 8, lines 55-67*);

subsequently navigating to said first location in response to said matching by automatically performing said path sequence (*col. 7, line 55 to col. 8, line 5 and col. 8, lines 55-67*); and

upon said identifying, making a determination whether said first utterance already exists in association with said path sequence and, conditioned on results of the determination, prompting the user to provide said first utterance if it does not yet exist (*col. 10, lines 20-26, training*).

Rigsby et al. fail to specifically disclose the step of playing said first utterance if it already exists. However, Shostak teaches the step of playing said first utterance if it already exists (*col. 31, lines 51-67, playing back the recorded names*).

Since Rigsby et al. and Shostak are analogous art because they are from the same field of endeavor, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Rigsby et al. by incorporating the teaching of Shostak in order to enable users to disambiguate similar names by presenting name candidates to for user selection.

6. Regarding claim 15, Rigsby et al. disclose a voice binding system to aid in user operation of electronic devices, comprising:

a menu navigator that provides a traversable menu structure offering a plurality of predefined menu locations (*each item 350 in figure 3 is a menu item*), wherein said menu navigator is operable to allow a user to identify on of said predefined menu locations via sequential manipulation of a manual user interface of said menu navigator that results in user navigation through said menu structure to said predefined menu location (*user select a menu to train with a voice command discussed in the operation of figure 2*);

a speech recognizer having an associated lexicon data store (*inherently included in any speech recognition system*);

a processor for adding a first utterance of user-defined speech to said lexicon (*the operation of figure 2*); and

a voice binding system coupled to said menu navigator for associating said first utterance with said path sequence for navigating to said identified one of said predefined menu locations within said menu structure (*steps 220-230 in figure 2*), wherein said menu navigator is operable to traverse to said identified menu location in response to a second spoken utterance corresponding to said user-defined speech by automatically performing said path sequence (*col. 7, line 55 to col. 8, line 5 and col. 8, lines 55-67, upon receiving a user's input command, associated function is carried out regardless of system's current state*), and wherein said voice binding system, upon manual of identification of said path sequence by said user, makes a determination whether said first utterance already exists in association with said path sequence and,

conditioned on results of the determination, prompting the user to provide said first utterance if it does not yet exist (*col. 10, lines 20-26, training*).

Rigsby et al. fail to specifically disclose the step of playing said first utterance if it already exists. However, Shostak teaches the step of playing said first utterance if it already exists (*col. 31, lines 51-67, playing back the recorded names*).

Since Rigsby et al. and Shostak are analogous art because they are from the same field of endeavor, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Rigsby et al. by incorporating the teaching of Shostak in order to enable users to disambiguate similar names by presenting name candidates to for user selection.

7. Regarding claims 3-5, 17-18, and 21-22, Rigsby et al. further disclose the method and system of claims 2 and 15, respectively, further comprising storing said navigation path as a sequence of navigation steps leading to said first location, and storing said navigation path as a semantic sequence of navigation steps leading to said first location (*figure 3, each of element 350's is a menu item that can be called at anytime based on user's input*), and wherein said menu structure includes associated text and said method further comprises storing said navigation path as a semantic sequence of text associated with the navigation steps leading to said first location (*referring to figure 3 and/or col. 6, line 32 to col. 7, line23*).

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8. Regarding claim 16, Rigsby et al. further disclose the voice binding of claim 15, wherein said menu navigator includes at least one navigation button operable to traverse said menu structure (*figure 3, element 350*).

9. Regarding claims 6-9, Rigsby et al. further disclose the method of claim 2 further comprising constructing a speech model associated with said first utterance and associating said speech model with said navigation path (*col. 6, line 32 to col. 7, line 23*), using a speech recognizer to compare said first and second utterances in performing said matching step (*col. 7, line 55 to col. 8, line 5*), constructing a speech model associated with said first utterance and using said speech model to populate the lexicon of a speech recognizer; and using said speech recognizer to compare said first and second utterances in performing said matching step (*operation of figure 2*), wherein said step of identifying a user-selected navigation path comprises displaying said first location on a visible display associated with said electronic product and prompting said user to provide said first utterance (*figure 2, element 210 and figure 3*).

10. Claims 10-14 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Rigsby et al. (US 6556971) in view of Shostak (US 6892083), as applied to claims 1, 2, and 15, respectively, and further in view of De Armas et al. (US 5873064),

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11. Regarding claims 10-14 and 19-20, Rigsby et al. further disclose the navigation path by the first location on a visible display associated with the electronic product and producing a textual representation of the first utterance (*figures 2-3*), but fail to specifically disclose the step of providing user an audio feedback of the first utterance, the feedback is a textual representation using a speech recognizer, and feedback is provided upon user's request. However, De Armas et al. teach the step of providing user an audio feedback of the first utterance (*Fig. 1A, elements Child 1, OK and CANCEL; col.5, ln.2-15 and col.9, ln. 49-61*), the feedback is a textual representation using a speech recognizer (*decoded phrase*), and feedback is provided upon user's request (*Fig. 2, col. 6, ln.19-28; col. 8, ln.25-29 and col.9, ln.19-61*).

Since Rigsby et al. and De Armas et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Rigsby et al. by incorporating the teaching of De Armas et al. in order to enable the user to confirm input command to train for a particular function.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huyen X. Vo whose telephone number is 571-272-7631. The examiner can normally be reached on M-F, 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HXV

4/23/2007


PATRICK N. EDOUARD
SUPERVISORY PATENT EXAMINER